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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,230	02/20/2001	Mamiko Kuramochi	1046.1242 (JDH)	4371
21171	7590	12/12/2003	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			CHEN, CHONGSHAN	
			ART UNIT	PAPER NUMBER
			2172	8

DATE MAILED: 12/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/785,230

Applicant(s)

KURAMOCHI, MAMIKO

Examiner

Chongshan Chen

Art Unit

2172

--The MAILING DATE of this communication appears on the cover sheet with the correspond nc address --

THE REPLY FILED 26 November 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-38.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

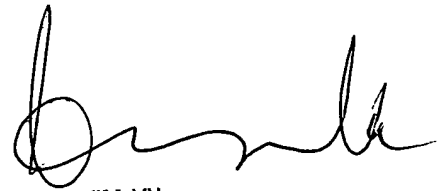
As per applicant's arguments regarding claim 1, Bence does not teaches or suggests the specifying of any one of the format file and the data file, have been considered but are not persuasive. Bence teaches a system allows the user to specify the characteristics of the data file (Bence, col. 5, lines 51-52). Therefore, the system of Bence has a specifying control unit in order to allow the user to specify the characteristics of the data file.

As per applicant's arguments regarding claim 1, Bence fails to teach or suggest a setting unit setting the item data of the data file to the fixed format of the format file in accordance with the specifying operation, have been considered but are not persuasive. Bence teaches setting the item data of data file to the fixed format of the format file (Bence, col. 1, lines 44-47, col. 1, line 60 - col. 2, line 10). Furthermore, the system of Bence has a specifying operation allowing the user to specify the characteristics of the data file (Bence, col. 5, lines 51-52).

As per applicant's arguments regarding claims 7, 14, 21, 27, 32 and 37, the combination of Bence and Hamada would not teach or suggest a specifying control unit ... and a setting unit setting the item data of the data file to the fixed format of the format file in accordance with the specifying operation, have been considered but are not persuasive. Please see the season given above for claim 1.

As per applicant's arguments regarding claims 23, the combination of Bence and Yuichi would not teach or suggest a specifying control unit ... and a setting unit setting the item data of the data file to the fixed format of the format file in accordance with the specifying operation, have been considered but are not persuasive. Please see the season given above for claim 1.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the drag and drop function of Hamada in the system of Bence. Drag and drop function frees the user from the burden of typing file information, and avoids any typing mistake possibly made by a user. It would have been obvious to one of ordinary skill in the art at the time the invention was made to display the files as a list disclosed by Yuichi in the system of Bence, Jr. This will easily allow the user to locate the file when the files are displayed as a list.



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